

ODP 0-833
13 June 1980

STATINTL

OGC Has Reviewed

MEMORANDUM FOR:

URICE OR General Counsel
STATINTL

FROM:

ODP FIO OFFICER

SUBJECT: Center for National Security Studies
("CNSS") Litigation

REFERENCE: Your memo dtd 6 June 80, same subject

1. The following are ODP's responses to reference interrogatories. All answers were compiled by the undersigned from documents in the files of the Office of the Director of Data Processing.

a. The following information is provided in response to Count I (F76-075) of plaintiff's complaint. The answer to Interrogatory 1 is as follows: This FOIA action was handled by

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EXECUTIVE OFFICER, OJCS, DDA
Phone 351-4011.

The answer to Interragory 2 is as follows:

ODP has identified 5 documents responsive to Interrogatory 2. They are identified as follows:

Document 1: Transmittal Slip
Dated 4/19/76

STATINTL
From: [REDACTED] FIO/OJCS
Remarks: "Case in appeal - no action required."
Pages: 1

Document 2: FOIA Request Transmittal Sheet
Dated 29 Jan. 1976
Request No. F-76-075

STATINTL
To: OJCS/FIO
From: [REDACTED] Assistant for
Information, DDA
Subject: Morton Halperin, Request
for Documents.

Comments: "Please take appropriate action."
Pages: 1

Document 3: Memorandum STATINTL

Dated 27 Jan. 76

For: [redacted]

From: [redacted]

Subject: Morton Halperin, FOIA
Request F-76-075

STATINTL Content: Request to review DDA
documents in the custody of Mr.

[redacted] OIG.

Pages: 1

Document 4: DD/M&S Memorandum 74-0058

Dated 7 Jan. 74

For: Director of Joint Computer
Support

STATINTL Via: Deputy Director for Management
& Services

From: [redacted]

Inspector General

Subject: Activities Which Might
be Considered Sensitive

Reference: D/JCS Memo OJCS 594-73

Dated 11 May 73

Content: Policy guidance for
activities reported in reference.

Document 5: OJCS Memo 594-73

Dated 11 May 73

For: Unknown

From: D/OJCS

Subject: Uncertain - probably
"Activities Which Might be Con-
sidered Sensitive"

Content: Uncertain - This document
is no longer in the custody of ODP
it may be in OIG or may have been
destroyed. Apparently it was OJCS
(ODP's predecessor) response to
9 May 73 DCI Directive to report
questionable activities.

The answer to Interrogatory 3 is as follows:

See answer to Interrogatory 2, Documents 2 and 1.

The answer to Interragory 4 is as follows:

STATINTL Persons who have had responsibility for implementing Agency FOIA policy and procedures within ODP, DDA, and representing ODP in Agency policy and procedures discussions from January 1976 to present:

Executive Officer
Office of Data Processing, DDA
351-4011

The answer to Interrogatory 15F is as follows:

One person, identified in answer to Interrogatory 4, has been involved as a part-time collateral duty in the processing of FOIA requests in ODP since January 1976.

b. The following information is provided in response to Counts II through XII: ODP has no record of having received or having processed these requests.

c. The following information is provided in response to Interrogatory 3 for IPS 76-666, which is not one of the specific counts in the plaintiff's complaint. ODP has identified 7 documents responsive to Interrogatory 3. They are identified as follows:

Document 1: FOIA Request Transmittal Sheet
Dated 3 Aug. 1977
STATINTL Request No. IPS-76-666
To: ODP/FIO
From: [REDACTED] IPS
Subject: John Marks & Morton Halperin
Litigation
Comments: Review attached (computer
listing of contracts) for releasability.
Pages: 1

Document 2: One page excerpt of undated computer
listing of Agency Contracts,
Classified SECRET.

Document 3: Copy of U.S. District Court Summons for
Civil Action File No. 77-1108
Dated June 28, 1977
John D. Marks and Morton H. Halperin-
Plaintiffs vs. Stansfield Turner and
Central Intelligence Agency
Pages: 4

Document 4: ODP Memorandum 1489-77
Dated 28 July 1977

STATINTL

Subject: John D. Marks and Morton H. Halperin Litigation
Content: Reversal of previous decision to withhold release of names of two University professors associated with ODP.
Copy also sent to [redacted]
Pages: 1

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Document 5: FOIA Request Transmittal Sheet
Dated 26 July 1977

STATINTL To: ODP/FIO

From: [redacted] IPS
Subject: John D. Marks & Morton Halperin Litigation
Comments: Request for rereview of previous decision on release of material on subject request.
Pages: 1

Document 6: FOIA Request Transmittal Sheet
Dated 15 March 1977
Request No. IPS 76-566

STATINTL

Subject: FOIA Request - John D. Marks
Comments: Request to review attached material surfaced by OLC in its search on Mark's request.
Pages: 1

Document 7: OLC Memorandum 77-0750

STATINTL

Dated 3 March 1977
To: Chairman, Information Review Committee
Attention: [redacted] Executive
Secretary

STATINTL

[redacted] er, OLC
John

D. Marks on 12 Nov. 76 (and subsequent Appeal on 2 Dec. 76)
Contents: List of documents found in response to subject request and recommendations regarding appropriate review authority.

Classified SECRET by [redacted]

Pages: 4

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d. The following information is provided in response to Interrogatory 5: ODP complies with Agency policy on the processing of FOIA requests. ODP defers to IPD/ISS/DDA for articulation of that policy.

e. The following information is in response to Interrogatory 6. ODP processes FOIA requests by searching the files of the Office of the Director of Data Processing and forwarding copies of the request to:

Deputy Director for Processing, ODP
Deputy Director for Applications, ODP
Chief, Special Projects Staff, ODP
Chief, Management Staff, ODP
Chief, Administrative Staff, ODP

for searching within their files. An office response is collated by ODP/FIO and forwarded to IPD/ISS/DDA. A copy of the FOIA request and ODP response is filed in the Office of the Director of Data Processing. Every effort is made to respond within the suspense date set by IPD. ODP defers to IPD/ISS/DDA for further articulation of Agency FOIA processing procedures.

f. The following information is provided in response to Interrogatory 7. See response to Interrogatory 6.

g. The following information is provided in response to Interrogatory 8. No differences in ODP policy and procedures or in ODP compliance with Agency policy and procedures.

h. The following information is provided in response to Interrogatory 9. ODP identified 46 documents responsive to Interrogatory 9. Eight of these documents originated in ODP; the remainder originated elsewhere. ODP is prepared to identify these documents in detail if necessary.

i. ODP did not identify any documents responsive to Interrogatories 10, 11, or 12.

j. The following information is provided in response to Interrogatory 13. ODP identified 11 documents responsive to Interrogatory 13. Three originated in ODP; the remainder originated elsewhere. ODP is prepared to identify these documents in detail if necessary.

k. ODP did not identify any documents responsive to Interrogatory 14.

l. ODP has no information responsive to Interrogatory 15 except that contained in our response to Count I, Interrogatory 15F.

m. ODP has no information responsive to Interrogatory 16.

2. If further explanation or expansion of ODP's response is needed, please call me on ext. 4011.

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O/D/ODP/ [redacted] ee/6-24-80

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